In The Claim

1. (Currently Amended) A tray-out control method for moving out a loading tray of an optical drive comprising:

detecting whether an optical disk is paced on the loading tray;

applying a first forcing function to the loading tray when the optical disk is placed on the loading tray; and

applying a second forcing function to the loading tray when the optical disk is not placed on the loading tray;

wherein ~~a maximum value~~ an initial force of the second forcing function is larger than ~~a maximum value~~ an initial force of the first forcing function.

2. (Original) The tray-out control method of claim 1 wherein the second forcing function is used to overcome a greater magnetic attraction.

3. (Original) The tray-out control method of claim 2 wherein the greater magnetic attraction is generated from a close contact between a spindle motor and a clamping device.

4. (Original) The tray-out control method of claim 1 wherein the first forcing function is used to overcome a lesser magnetic attraction.

5. (Original) The tray-out control method of claim 4 wherein the lesser magnetic attraction is generated from a non-close contact between a spindle motor and a clamping device.

6. (Original) The tray-out control method of claim 1 wherein the optical drive is vertically arranged.

7. (Currently Amended) A tray-out control method used in an optical drive for overcoming an attraction between a spindle motor and a clamping device comprising:

applying a first forcing function to a loading tray when the spindle motor and the clamping device are not closely in contact with each other; and

applying a second forcing function to a loading tray when the spindle motor and the clamping device are closely in contact with each other;

wherein ~~a maximum value~~ an initial force of the second forcing function is larger than ~~a maximum value~~ an initial force of the first forcing function.

8. (Original) The tray-out control method of claim 7 wherein when the spindle motor and the clamping device are not closely in contact with each other, an optical disk is placed on the loading tray.

9. (Original) The tray-out control method of claim 7 wherein when the spindle motor and the clamping device are closely in contact with each other, an optical disk is not placed on the loading tray.

10. (Original) The tray-out control method of claim 7 wherein the optical drive is vertically arranged.